

United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge	Samuel Der-Yeghiayan	Sitting Judge if Other than Assigned Judge	
CASE NUMBER	10 C 5684	DATE	12/15/2010
CASE TITLE	Robert Wyatt (#2009-0048423) vs. Thomas Dart, et al.		

DOCKET ENTRY TEXT

For the reasons stated below, Plaintiff's third motion for leave to proceed in forma pauperis [10] is denied. The deadline has passed and Plaintiff has not paid the filing fee nor filed an accurately and properly completed in forma pauperis application form. Therefore, the instant action is hereby dismissed. Civil case terminated.

■ [For further details see text below.]

Docketing to mail notices.

STATEMENT

This matter is before the court on Plaintiff Robert Wyatt's (Wyatt) third motion for leave to proceed *in forma pauperis*. On October 28, 2010, the court denied Wyatt's first two motions for leave to proceed *in forma pauperis* because Wyatt failed to provide the court with accurately completed *in forma pauperis* application forms. We gave Wyatt until November 29, 2010 to pay the filing fee. We also warned Wyatt that failure to pay the filing fee by November 29, 2010 would result in the dismissal of the instant action.

Instead of paying the filing fee, Wyatt sent a letter to the court dated November 1, 2010 (Letter) indicating that he misunderstood the questions on the *in forma pauperis* application form. Wyatt also submitted a third motion for leave to proceed *in forma pauperis*. However, Wyatt's third motion for leave to proceed *in forma pauperis* is not actually a new motion, and is instead a copy of his earlier motion dated August 20, 2010, to which he has added some information. In addition, Wyatt's third motion for leave to proceed *in forma pauperis* does not include any certified prison trust account statement. The deadline has passed and Wyatt has not paid the filing fee nor filed an accurately and properly completed *in forma pauperis* application form. Therefore, we deny Wyatt's third motion for leave to proceed *in forma pauperis*, and we dismiss the instant action.

STATEMENT